

WASHINGTON, DC – Last night, the Senate passed H.R. 6412, the “Access to Criminal History Records for State Sentencing Commissions Act of 2010,” by unanimous consent, readying the bill to be signed into law by the President. This bill, introduced by Congressman Robert C. “Bobby” Scott, was passed by the House of Representatives on December 9, 2010 and will make an important change to the law to allow state sentencing commissions direct access to the national database of criminal history record information maintained by the U.S. Department of Justice. State commissions will receive the same type of access to this information already afforded to the United States Sentencing Commission.

Sentencing commissions need the criminal history records maintained at the national level, which includes records of federal offenses and offenses committed in other states. If a state commission has access only to the records of offenses committed in its own state, it lacks the information about offenders it needs to make important policy recommendations and to evaluate the recidivism of offenders who may commit crimes out of state. Providing state sentencing commissions with direct access to national criminal record systems will improve the administration of justice by:

- Enhancing the effectiveness of sentencing decisions and program placements for individual offenders, based on complete and accurate criminal history information; and
- Improving evaluation research on sentencing outcomes and program effectiveness, based on large numbers of offenders, in order to better inform policy makers.

After Senate passage of H.R. 6412, Congressman Scott stated, “This bill will allow state sentencing commissions access to information they need to develop more accurate and effective sentencing policies. I applaud the cooperation of colleagues on both sides of the aisle which made quick enactment of this important legislation possible.”

Richard Kern, Ph.D., Director of the Virginia Criminal Sentencing Commission stated, “Congressman Scott’s leadership in the passage of H.R. 6412 is greatly applauded by the many sentencing commissions across the nation. In Virginia, the research work of our sentencing commission has been severely constricted due to a lack of legal access to out-of-state criminal history information. Virginia is bordered by five states and the District of Columbia and, as such, this increases the likelihood that offenders may have criminal records outside of Virginia. Consequently, Virginia judges, legislators, and other policy makers may make major decisions based on inaccurate/incomplete information on the convicted felon population. This groundbreaking legislation championed by Congressman Scott will make the important work of all sentencing commissions more accurate and, in turn, make all of our citizens safer.”

# # #